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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LOUIS RODRIGUEZ,

Defendant.

Case No. 2:22-mj-00864-NJK

**Stipulation to Continue the Preliminary
Examination Date and Exclude Time Under
the Speedy Trial Act
(First Request)**

IT IS HEREBY STIPULATED AND AGREED by and between, JASON M. FRIERSON, United States Attorney, District of Nevada, Edward G. Veronda, Assistant United States Attorney, representing the United States of America, and Brian Smith, Esq., representing Defendant Rodriguez, that the Preliminary Examination date in the above captioned case, which is currently scheduled for November 16, 2022 at 4:00 P.M., be continued to a date and time convenient for the Court, but no sooner than 30 days from the current setting. The parties also stipulate to an extension of the 30-day period under 18 U.S.C. § 3161(b) in which an indictment or information must be returned.

1. The parties require additional time to discuss the potential for a Pre-Indictment negotiation.
2. Counsel for the defendant will require additional time to review and investigate discovery and meet with the client to discuss the details prior to proceeding.
3. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interests of the public and the defendant in a speedy trial.
4. The defendant is at liberty and does not object to the continuance.
5. This is the parties' first request to continue the Preliminary Examination date.
6. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

DATED this 9th day of November, 2022

JASON M. FRIERSON
United States Attorney

/s/ Edward G. Veronda
EDWARD G. VERONDA
Assistant United States Attorney

/s/ Brian Smith
BRIAN SMITH, Esq.
Counsel for Defendant

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 United States of America,) Case No. 2:22-mj-00864-NJK
4)
5 Plaintiff,) **Findings and Order on Stipulation**
6)
7 v.)
8)
9 LOUIS RODRIGUEZ,)
10)
11 Defendant.)
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Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The parties require additional time to discuss the potential for a Pre-Indictment negotiation.
2. Counsel for the defendant will require additional time to review and investigate discovery and meet with the client to discuss the details prior to proceeding.
3. The parties agree to this continuance.
4. The defendant is at liberty and does not object to the continuance.
5. This continuance is not sought for purposes of delay.
6. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.
7. The Speedy Trial Act's indictment clock under 18 U.S.C. § 3161(b) is extended to the Preliminary Hearing date set below.
8. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United

1 States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United
2 States Code, Section 3161(h)(7)(B)(i) and (iv).

3 THEREFORE, IT IS HEREBY ORDERED that the Preliminary Examination in the
4 above-captioned matter currently scheduled for November 16, 2022 be vacated and continued
5 to December 20, 2022, at 4:00 p.m.

6 DATED: November 9, 2022.

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10 UNITED STATES MAGISTRATE JUDGE
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